

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAVID UNTERREINER,

Plaintiff,

Civil No. 06-277-HU

v.

O R D E R

BRUCE GOLDBERG, M.D., Director,
Oregon Department of Human Services,
acting in his official capacity,

Defendant.

HAGGERTY, Chief Judge:

Magistrate Judge Hubel has issued a Findings and Recommendation [22] in this action. The Magistrate Judge recommended that defendant's Motion to Dismiss [14] should be denied. No objections were filed, and the case was referred to me.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. United States District Court*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. Plaintiff presents independent claims challenging the defendant's re-commitment practices and procedures, and not a claim seeking to overturn the state court's judgment of commitment. This court adopts the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Magistrate Judge's Findings and Recommendation [22] is adopted. Defendant's Motion to Dismiss [14] is denied.

IT IS SO ORDERED.

Dated this 11 day of December, 2006.

/s/ Ancer L. Haggerty
Ancer L. Haggerty
United States District Judge